

Adopted	Rejected
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COMMITTEE REPORT

YES: 10

NO: 0

MR. SPEAKER:

Your Committee on Employment and Labor, to which was referred Senate Bill 333, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 4-1-8-1, AS AMENDED BY P.L.246-2005,
- 4 SECTION 37, IS AMENDED TO READ AS FOLLOWS
- 5 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) No individual may be
- 6 compelled by any state agency, board, commission, department, bureau,
- 7 or other entity of state government (referred to as "state agency" in this
- 8 chapter) to provide the individual's Social Security number to the state
- 9 agency against the individual's will, absent federal requirements to the
- 10 contrary. However, the provisions of this chapter do not apply to the
- 11 following:
- 12 (1) Department of state revenue.
- 13 (2) Department of workforce development.
- 14 (3) The programs administered by:
- 15 (A) the division of family and children;
- 16 (B) the division of mental health and addiction;

- 1 (C) the division of disability, aging, and rehabilitative services;
 2 and
 3 (D) the office of Medicaid policy and planning;
 4 of the office of the secretary of family and social services.
 5 (4) Auditor of state.
 6 (5) State personnel department.
 7 (6) Secretary of state, with respect to the registration of
 8 broker-dealers, agents, and investment advisors.
 9 (7) The legislative ethics commission, with respect to the
 10 registration of lobbyists.
 11 (8) Indiana department of administration, with respect to bidders
 12 on contracts.
 13 (9) Indiana department of transportation, with respect to bidders
 14 on contracts.
 15 ~~(10) Health professions bureau.~~
 16 ~~(11)~~ (10) Indiana professional licensing agency.
 17 ~~(12)~~ (11) Department of insurance, with respect to licensing of
 18 insurance producers.
 19 ~~(13)~~ (12) A pension fund administered by the board of trustees of
 20 the public employees' retirement fund.
 21 ~~(14)~~ (13) The Indiana state teachers' retirement fund.
 22 ~~(15)~~ (14) The state police benefit system.
 23 ~~(16)~~ (15) The alcohol and tobacco commission.
 24 **(16) The state department of health, for purposes of licensing**
 25 **radiologic technologists under IC 16-41-35-29(c).**
 26 (b) The bureau of motor vehicles may, notwithstanding this chapter,
 27 require the following:
 28 (1) That an individual include the individual's Social Security
 29 number in an application for an official certificate of title for any
 30 vehicle required to be titled under IC 9-17.
 31 (2) That an individual include the individual's Social Security
 32 number on an application for registration.
 33 (3) That a corporation, limited liability company, firm,
 34 partnership, or other business entity include its federal tax
 35 identification number on an application for registration.
 36 (c) The Indiana department of administration, the Indiana
 37 department of transportation, ~~the health professions bureau~~, and the
 38 Indiana professional licensing agency may require an employer to

1 provide its federal employer identification number.

2 (d) The department of correction may require a committed offender
3 to provide the offender's Social Security number for purposes of
4 matching data with the Social Security Administration to determine
5 benefit eligibility.

6 (e) The Indiana gaming commission may, notwithstanding this
7 chapter, require the following:

8 (1) That an individual include the individual's Social Security
9 number in any application for a riverboat owner's license,
10 supplier's license, or occupational license.

11 (2) That a sole proprietorship, a partnership, an association, a
12 fiduciary, a corporation, a limited liability company, or any other
13 business entity include its federal tax identification number on an
14 application for a riverboat owner's license or supplier's license.

15 (f) Notwithstanding this chapter, the department of education
16 established by IC 20-19-3-1 may require an individual who applies to
17 the department for a license or an endorsement to provide the
18 individual's Social Security number. The Social Security number may
19 be used by the department only for conducting a background
20 investigation, if the department is authorized by statute to conduct a
21 background investigation of an individual for issuance of the license or
22 endorsement."

23 Page 2, reset in roman lines 13 through 17.

24 Page 3, delete lines 23 through 42.

25 Delete page 4.

26 Page 5, delete lines 1 through 17.

27 Page 6, line 9, delete "be".

28 Page 6, line 10, delete "approved to".

29 Page 6, delete lines 16 through 33.

30 Page 7, between lines 31 and 32, begin a new paragraph and insert:

31 "SECTION 6. IC 16-41-35-29 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 29. (a) The state
33 department shall adopt rules under IC 4-22-2 to regulate who may
34 operate a radiation machine and what level of training and experience
35 the operator must have. Rules adopted by the state department must
36 exempt from testing to establish initial qualifications an individual who:

37 (1) holds a valid certificate issued by; and

38 (2) is currently registered with;

1 the American Registry of Radiologic Technologists.

2 (b) The state department may by rule exempt an individual who:

3 (1) is currently licensed in another state as a radiologic
4 technologist; or

5 (2) performs the function of a radiologic technologist in another
6 state that does not require the licensure of a radiologic
7 technologist;

8 from testing to establish initial qualifications.

9 (c) The state department shall issue a license to an individual
10 meeting the requirements of the rules adopted under subsection (a) for
11 a radiologic technologist upon the payment to the state department of
12 a sixty dollar (\$60) fee and the cost of testing to establish initial
13 qualifications. The license is valid for twenty-four (24) months. The
14 state department shall establish a fee for the renewal or duplication of
15 a license issued under this section not to exceed sixty dollars (\$60). In
16 addition to the renewal fee, a penalty fee of sixty dollars (\$60) shall be
17 imposed by the state department for processing an application for
18 license renewal received after the expiration of the previous license.
19 The state department may waive the penalty fee for a showing of good
20 cause.

21 **(d) An individual who applies for a license issued under**
22 **subsection (c) or who holds a license issued under subsection (c)**
23 **shall provide the individual's Social Security number to the state**
24 **department.**

25 **(e) The state department shall collect and release the applicant's**
26 **or licensee's Social Security number as provided in state or federal**
27 **law.**

28 **(f) Notwithstanding IC 4-1-10-3, the state department may allow**
29 **access to the Social Security number of each person who is licensed**
30 **under this section or has applied for a license under this section to:**

31 **(1) a testing service that provides the examination for**
32 **licensure as a radiologic technologist to the state department;**
33 **or**

34 **(2) an individual state regulatory board of radiologic**
35 **technology or an organization composed of state regulatory**
36 **boards of radiologic technology for the purpose of**
37 **coordinating licensure and disciplinary activities among the**
38 **individual states.**

~~(d)~~ (g) Every owner of a radiation machine, including an industrial radiation machine, shall have the machine inspected in accordance with procedures and standards established by the state department. The state department shall adopt rules under IC 4-22-2 establishing the procedures and standards applicable to inspections of radiation machines.

SECTION 7. IC 16-42-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. (a) An organization that is exempt from the state gross retail tax under IC 6-2.5-5-21(b)(1)(B), IC 6-2.5-5-21(b)(1)(C), or IC 6-2.5-5-21(b)(1)(D) and that offers food for sale to the final consumer at an event held for the benefit of the organization is exempt from complying with the requirements of this chapter that may be imposed upon the sale of food at that event if the following conditions are met:

~~(1) Members of the organization prepare the food that will be sold.~~

~~(2) Events conducted by the organization under this section take place for not more than thirty (30) days in a calendar year.~~

~~(3) The name of each member who has prepared a food item is attached to the container in which the food item has been placed.~~

organization does not have any paid staff whose primary responsibility is to prepare and serve food to the public at the event.

(b) This section does not prohibit an exempted organization from waiving the exemption and applying for a license under this chapter."

Page 10, line 21, after "instruction" insert "**that is**".

Page 10, line 22, after "board" insert "**and that is**".

Page 11, line 7, delete "a" and insert "**the**".

Page 12, line 3, after "with" insert "**this chapter under**".

Page 12, line 3, delete "(b)." and insert "**(b)(1).**".

Page 12, line 42, delete "applicant" and insert "**applicant's**".

Page 13, line 6, delete "which" and insert "**that**".

Page 13, line 19, delete "applicant" and insert "**applicant's**".

Page 13, line 25, delete "which" and insert "**that**".

Page 22, line 34, delete "The" and insert "**A**".

Page 27, line 32, delete "in" and insert "**by**".

Page 27, line 35, delete "final".

Page 27, after "the" insert "**final**".

- 1 Page 32, line 24, delete "pays".
- 2 Page 32, line 24, delete "requirement".
- 3 Page 33, line 40, after "notice" insert ",".
- 4 Page 34, line 26, delete "two (2) renewal cycles" and insert "**four (4)**
- 5 **years**".
- 6 Page 34, between lines 39 and 40, begin a new paragraph and insert:
- 7 "SECTION 63. IC 25-22.5-12 IS ADDED TO THE INDIANA
- 8 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2006]:
- 10 **Chapter 12. Residency Pilot Program for Qualified**
- 11 **International Medical School Graduates**
- 12 **Sec. 1. As used in this chapter, "graduate" means a qualified**
- 13 **international medical school graduate.**
- 14 **Sec. 2. As used in this chapter, "resident" means a graduate who**
- 15 **has been accepted in the residency pilot program under this**
- 16 **chapter.**
- 17 **Sec. 3. The board shall work with primary care residency**
- 18 **programs, limited to family medicine, pediatrics, and internal**
- 19 **medicine residency programs, to develop a pilot program for a**
- 20 **period of seven (7) academic years to better identify, evaluate, and**
- 21 **prepare qualified graduates for future practice in Indiana.**
- 22 **Sec. 4. The board shall allow family medicine, pediatrics, and**
- 23 **internal medicine residency programs in Indiana that elect to**
- 24 **participate in the residency pilot program to accept graduates from**
- 25 **medical schools that:**
- 26 **(1) are not on the board's list of approved medical schools;**
- 27 **and**
- 28 **(2) are not on the list of schools disapproved for postgraduate**
- 29 **medical education training.**
- 30 **Sec. 5. The board shall develop an application process for each**
- 31 **approved residency program's participation in the residency pilot.**
- 32 **Sec. 6. The list of disapproved medical schools must be updated**
- 33 **by August 1 of each year to the best ability of the board to exclude**
- 34 **any medical schools that are not known to be qualified educational**
- 35 **institutions.**
- 36 **Sec. 7. The program director of a residency program that wants**
- 37 **to participate in the residency program shall submit a letter to the**
- 38 **board requesting that the accepted residency candidate receive a**

temporary permit for residency training. A representative of the residency pilot program must appear with the candidate for a hearing of the board.

Sec. 8. A temporary permit to participate in residency training may be:

(1) issued to a graduate for one (1) year; and

(2) renewed for two (2) additional one (1) year periods; until completion of the residency program. The board may require the graduate to appear before the board.

Sec. 9. A candidate for the residency program must be certified by the Education Commission for Foreign Medical Graduates (ECFMG) to participate in the residency pilot program.

Sec. 10. The director of a participating residency pilot program shall submit a written progress report to the board within three (3) months after the beginning of training of a resident to verify that the resident is providing the quality of medical care to patients expected at the level of medical experience and training of the resident.

Sec. 11. The residency program director shall promptly inform the board in writing if a pilot program resident is:

(1) dismissed for failure to meet the professional expectations of the residency program; or

(2) incapable of competent medical practice.

Sec. 12. The residency program director shall submit a report concerning the progress of each resident to the board at the completion of the first and second years of the resident's training recommending renewal of the temporary medical permit for one (1) additional year if the resident's performance is satisfactory.

Sec. 13. Upon the resident's completion of the three (3) year training program, the residency program director may be required to appear before the board to:

(1) verify the competency of the resident; and

(2) recommend that the candidate be issued a license to enable the candidate to practice medicine in Indiana.

If the resident was granted a temporary permit under the residency pilot program, a graduate participating in the program may not be issued a permanent license until the graduate completes the three (3) years of pilot program residency training and completes two (2)

years of practice in Indiana to complete the pilot program requirements. The type of license the graduating resident obtains for the two (2) years of practice after residency shall be determined by the board. The board may defer the practice requirement if the resident requests a delay to participate in an Accreditation Council on Graduate Medical Education (ACGME) accredited fellowship program that enhances the practice of primary care. The candidate must appear before the board for permanent license approval. Failure to complete the residency pilot program for reasons including:

- (1) negligence;
- (2) incompetency; or
- (3) issues of professionalism;

is an adverse event reportable to medical licensing boards in other states. Issues not related to performance are not reportable events.

Sec. 14. International medical school graduates who have successfully completed the residency pilot program and have met all requirements of this chapter:

- (1) shall be given equal standing for licensure with other international medical school graduates who have graduated from approved medical schools; and
- (2) must meet all other licensure requirements under IC 25-22.5-3-1.

Sec. 15. The board shall collect information and data during the residency pilot program concerning the:

- (1) successes of;
- (2) failures of;
- (3) difficulties encountered in; and
- (4) number of residents involved in, entering, and graduating from;

the program.

The information must include data based on the six (6) required ACGME competencies used to evaluate all residents.

Sec. 16. There may not be more than two (2) graduates allowed under this pilot program for each approved primary care residency program.

Sec. 17. This chapter expires December 31, 2013."

Page 36, line 31, delete "shall" and insert "must".

- 1 Page 39, line 5, delete "before the" and insert "**before**".
- 2 Page 48, after line 38, begin a new paragraph and insert:
- 3 "SECTION 79. **An emergency is declared for this act.**".
- 4 Renumber all SECTIONS consecutively.
(Reference is to SB 333 as reprinted January 31, 2006.)

and when so amended that said bill do pass.

Representative Torr